

Attorney Docket No. CORR-001/01US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Ben HITT

Serial No.: 09/883,196

Examiner: Joseph P. Hirl

Confirmation No.: 9854

Art Unit: 2121

Filed: June 19, 2001

For: **HEURISTIC METHOD OF CLASSIFICATION**

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97(b)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,  
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.  
§§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- ☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. \_\_\_ to which the above-identified application claims priority under 35 U.S.C. §120.
- ☐ No copies of any U.S. patents or U.S. patent application publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98 because this application was filed after June 30, 2003.
- ☐ Publication(s) \_\_\_ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to \_\_\_ application serial no. \_\_\_ and mailed on \_\_\_.
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).

- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. English language publication \_\_\_\_ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) \_\_\_\_\_ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) \_\_\_\_\_ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. \_\_\_\_\_.

This Information Disclosure Statement is filed within any one of the following time periods:

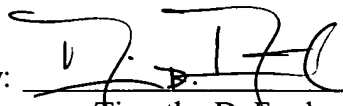
- ☐ within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- ☐ within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
- ☐ before the mailing date of a first office action on the merits; or
- ☒ before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: August 16, 2004

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Respectfully submitted,  
**COOLEY GODWARD LLP**

By:   
Timothy D. Ford  
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<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
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				First Named Inventor	Ben HITT
				Group Art Unit	2121
				Examiner Name	Joseph P. Hirl
Sheet	1	of	7	Attorney Docket Number	CORR-001/01US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
	A1	6,675,104	B2	Pause et al.	01-06-2004
	A2	6,558,902	B1	Hillenkamp	05-06-2003
	A3	2003/0077616	A1	Lomas	04-24-2003
	A4	2003/0054367	A1	Rich et al.	03-20-2003
	A5	2002/0193950	A1	Gavin et al.	12-19-2002
	A6	6,427,141	B1	Barnhill	07-30-2002
	A7	2002/0046198	A1	Hitt	04-18-2002
	A8	6,329,652	B1	Windig et al.	12-11-2001
	A9	6,157,921		Barnhill	12-05-2000
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	A11	6,025,128		Veltri et al.	02-15-2000
	A12	5,946,640		Goodacre et al.	08-31-1999
	A13	5,905,258		Clemmer et al.	05-18-1999
	A14	5,839,438		Graettinger et al.	11-24-1998
	A15	5,790,761		Heseltine et al.	08-04-1998
	A16	5,716,825		Hancock et al.	02-10-1998
	A17	5,697,369		Long, Jr. et al.	12-16-1997
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	A19	4,122,343		Risby et al.	10-24-1978
	A20	2003/0004402	A1	Hitt, et al.	01-02-2003

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)		
	B1	PCT	WO 02/088744	A2	Syn.X Pharma, Inc.	11-07-2002
	B2	PCT	WO 02/059822	A2	Biowulf Technologies, LLC	08-01-2002
	B3	PCT	WO 01/84140	A2	Mischak	11-08-2001
	B4	PCT	WO 01/31580	A2	Barnhill Technologies, LLC	05-03-2001
	B5	PCT	WO 01/31579	A2	Barnhill Technologies, LLC	05-03-2001
	B6	PCT	WO 01/20043	A1	Affymetrix, inc.	03-22-2001
	B7	PCT	WO 03/031031	A1	Ciphergen Biosystems, Inc. and Eastern Virginia Medical School	04-17-2003
	B8	PCT	WO 02/06829	A2	Correlogic Systems, Inc.	01-24-2002

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<sup>2</sup> See attached Kinds of U.S. Patent Documents.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

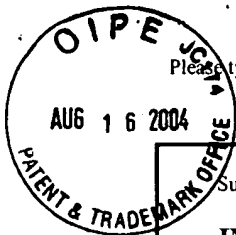
<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

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Sheet	2	of	7	Application Number	09/883,196
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				Group Art Unit	2121
				Examiner Name	Joseph P. Hirl
				Attorney Docket Number	CORR-001/01US

## **OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS**

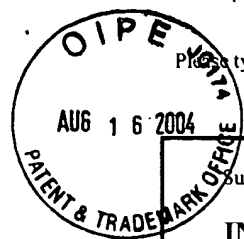
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	C1	GASKELL, "Electrospray: Principles and Practice," <i>Journal of Mass Spectrometry</i> , Vol. 32, pp. 677-688 (1997), John Wiley & Sons, Ltd.	
	C2	LEWIS, "An Introduction to Classification and Regression Tree (CART) Analysis," presented at 2000 Annual Meeting of the Society for Academic Emergency Medicine in San Francisco, California, pp. 1-14, 2000.	
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	C4	SCHROLL et al., "Applications of Artificial Intelligence for Chemical Inference, III. Aliphatic Ethers Diagnosed by Their Low-Resolution Mass Spectra and Nuclear Magnetic Resonance Data," <i>Journal of the American Chemical Society</i> , December 17, 1969, pp. 7440-7445.	
	C5	CRAWFORD et al., "Computer Methods in Analytical Mass Spectrometry; Empirical Identification of Molecular Class," 6 pages, 1968.	
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	C8	"Constraints on "Learning Machine" Classification Methods," <i>Analytical Chemistry</i> , Vol. 48, No. 14, December 1976, pp. 2265-2268, Gray, N.A.B.	
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	C10	MACFIE et al., "Use of Canonical Variates Analysis in Differentiation of Bacteria by Pyrolysis Gas-Liquid Chromatography," <i>Journal of General Microbiology</i> (1978), 104, pp. 67-74, Great Britain.	
	C11	ATKINSON et al., "Statistical Techniques for Diagnosing CIN Using Fluorescence Spectroscopy: SVD and CART," <i>Journal of Cellular Biochemistry</i> , Supplement 23, pp. 125-130 (1995).	
	C12	DZEROSKI et al., "Diterpene Structure Elucidation from <sup>13</sup> C NMR-Spectra with Machine Learning," <i>Intelligent Data Analysis in Medicine and Pharmacology</i> , pp. 207-225, Kluwer Academic Publishers, 1997.	

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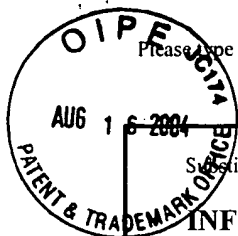
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	C13	VOORHEES et al., "Approaches to Pyrolysis/Mass Spectrometry Data Analysis of Biological Materials," <i>Computer-Enhanced Analytical Spectroscopy</i> , Vol. 2, pp. 259-275, Plenum Press, New York, 1990.	
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	C15	JELLUM et al., "Mass Spectrometry in Diagnosis of Metabolic Disorders," <i>Biomedical and Environmental Mass Spectrometry</i> , Vol. 16, pp. 57-62 (1988).	
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	C18	FURLONG et al., "Neural Network Analysis of Serial Cardiac Enzyme Data; A Clinical Application of Artificial Machine Intelligence," <i>A.J.C.P.</i> , Vol. 96, No. 1, pp. 134-141, July, 1991.	
	C19	CICCHETTI, "Neural Networks and Diagnosis in the Clinical Laboratory: State of the Art," <i>Clinical Chemistry</i> , Vol. 38, No. 1, pp. 9-10 (1992).	
	C20	ASHFAQ et al., "Evaluation of PAPNET™ System for Rescreening of Negative Cervical Smears," <i>Diagnostic Cytopathology</i> , Vol. 13, No 1, pp. 31-36, 1995.	
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	C22	RICKETTS et al., "Towards the Automated Prescreening of Cervical Smears," 4 pages, March 11, 1992.	
	C23	KOHNO et al., "Quantitative Analysis of Scintiscan Matrices by Computer," <i>Japanese Journal of Medical Electronics and Biological Engineering</i> , pp. 22-29, August 1974.	English Abstract
	C24	Salford Systems, "Salford Systems White Paper Series," 17 pages, 2000.	

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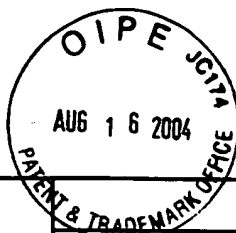
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STATEMENT BY APPLICANT**

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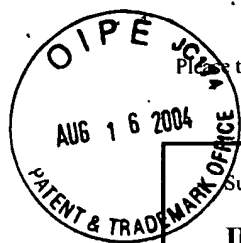
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	C25	BERIKOV et al., "Regression trees for analysis of mutational spectra in nucleotide sequences," <i>Bioinformatics</i> , Vol. 15, nos. 7/8, 1999, pp. 553-562.	
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	C33	BELIC et al., "Neural network methodologies for mass spectra recognition," <i>Vacuum</i> , Vol. 48, No. 7-9, pp. 633-637, 1997.	
	C34	WERTHER et al., "Classification of mass spectra; a comparison of yes/no classification methods for the recognition of simple structural properties," <i>Chemometrics and Intelligent Laboratory Systems</i> , Vol. 22 (1994), pp. 63-76.	
	C35	CAIRNS et al., "Towards the Automated Prescreening of Breast X-Rays," 5 pages, March 11, 1992.	
	C36	ASTION et al., "The Application of Backpropagation Neural Networks to Problems in Pathology and Laboratory Medicine," <i>Arch Pathol Lab Med</i> , Vol. 116, October 1992, pp. 995-1001.	

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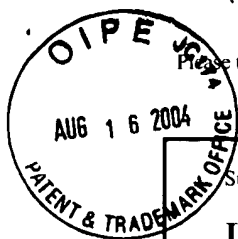
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	C37	TAYLOR et. al., "The deconvolution of pyrolysis mass spectra using genetic programming: application to the identification of some <i>Eubacterium</i> species," <i>FEMS Microbiology Letters</i> 160 (1998) pp. 237-246.	
	C38	GOODACRE et al., "Discrimination between methicillin-resistant and methicillin-susceptible <i>Staphylococcus aureus</i> using pyrolysis mass spectrometry and artificial neural networks," <i>Journal of Antimicrobial Chemotherapy</i> , Vol. 41, pp. 27-34 (1998).	
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	C42	GOODACRE et al., "Sub-species Discrimination, Using Pyrolysis Mass Spectrometry and Self-organising Neural Networks, of <i>Propionibacterium acnes</i> Isolated from Normal Human Skin," <i>Zbl. Bakt.</i> 284, pp. 501-515 (1996).	
	C43	GOODACRE et al., "Quantitative Analysis of Multivariate Data Using Artificial Neural Networks: A Tutorial Review and Applications to the Deconvolution of Pyrolysis Mass Spectra," <i>Zbl. Bakt.</i> 284 pp. 516-539 (1996).	
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	C45	GOODACRE et al., "Correction of Mass Spectral Drift Using Artificial Neural Networks," <i>Anal. Chem.</i> , (1996), Vol. 68, pp. 271-280.	
	C46	FREEMAN et al., "Resolution of batch variations in pyrolysis mass spectrometry of bacteria by the use of artificial neural network analysis," <i>Antonie van Leeuwenhoek</i> Vol. 68, pp. 253-260, (1995), Kluwer Academic Publishers, The Netherlands.	
	C47	CHACE et al., "Laboratory integration and utilization of tandem mass spectrometry in neonatal screening: a model for clinical mass spectrometry in the next millennium," <i>Acta Paediatr. Suppl.</i> 432, pp. 45-47 (1999).	
	C48	CURRY et al., "MSnet: A Neural Network That Classifies Mass Spectra," 32 pages, (1990).	

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	C49	SHAW et al., "Infrared Spectroscopy of Exfoliated Cervical Cell Specimens," <i>Analytical and Quantitative Cytology and Histology</i> , Vol. 21, Number 4, August 1999, pp. 292-302.	
	C50	BELIC, "Neural Networks Methodologies for Mass Spectra Recognition," pp. 375-380.	
	C51	PRIOR et al., "Potential of Urinary Neopterin Excretion in Differentiating Chronic Non-A, Non-B Hepatitis from Fatty Liver," <i>The Lancet</i> , November 28, 1987, pp. 1235-1237.	
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<i>Complete if Known</i>	
				<b>Application Number</b>	09/883,196
				<b>Filing Date</b>	June 19, 2001
				<b>First Named Inventor</b>	Ben HITT
				<b>Group Art Unit</b>	2121
<b>Examiner Name</b>	Joseph P. Hirl				
<b>Attorney Docket Number</b>	CORR-001/01US				
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	C61	GEORGE, "A Visualization and Design Tool (AVID) for Data Mining with the Self-Organizing Feature Map," <i>International Journal on Artificial Intelligence Tools</i> , Vol. 9, No. 3, pp. 369-375, (2000).	
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	C67	ZHANG, "Combining Multiple Biomarkers in Clinical Diagnostics – A Review of Methods and Issues," 14 pages, (2002).	
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	C69	REED, "Trends in Commercial Bioinformatics," <i>Oscar Gruss Biotechnology Review</i> , March 2000, 20 pages.	

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